

HAVANT BOROUGH COUNCIL

MEMORANDUM

From: Environmental Health

To: Head of Development Control and
Technical Services

Our Ref: EH / MM / 24113

FAO: Mrs R. Hebden

Your Ref: APP/12/01272

Ext. No: 446666

Date: 24 January 2013

Site Address: 1 Purbrook Chase Precinct, Waterloooville, PO7 5QH

Proposed Development: Variation of Condition 2 of Planning Permission
05/57717/006 to allow opening on Sundays and Bank Holidays between 4 pm
and 9 pm.

I refer to the above application under the Town & Country Planning Acts
passed to this Service for comment.

I have read the enclosed documentation provided by the applicant and can
comment as follows:

The original permission was granted in July 2005 and the condition relating to
opening on Sundays and recognized Public holidays was appended 'in the
interests of the residential amenity of the occupiers of the flats above and
other neighbouring residents and to minimize late night noise and disturbance
.....'

All previous applications re: 'Variation of Condition 2....' at this premises, have
been refused planning permission. One of the reasons given is that 'The
proposal would give rise to noise, disturbance and odours on a Sunday and
on recognized Bank Holidays, which would be detrimental to the amenities of
the residential properties in the area'.
.....'

An appeal Ref: App/X1735/A/08/2091456 dated 9 May 2009, was dismissed
by the Inspector, as he concluded that Condition 2 is reasonable and justified
as it provides respite to local residents from cooking odours on Sundays and
Public Holidays.

From the information submitted, it would appear that this is a very similar application to those previously dealt with and as such contains nothing which would allow me to support the proposal. I therefore **object** to the application to vary the condition and allow opening on Sundays and Bank holidays for the following reasons:

1. To allow the variation of Condition 2 would cause unacceptable disturbance to the occupiers of the nearby residential properties, particularly at times when activity in the immediate vicinity would otherwise be relatively quiet. The other hot food premises in the precinct are either subject to a similar condition with regard to opening hours or choose not to open on Sundays and / or Bank holidays. Activity in the immediate vicinity is therefore relatively quiet on a Sunday and Bank holidays.
2. The existing relative quiet at the above centre on the days under proposal, would be threatened if this proposal was allowed, as it would be difficult to resist a similar request from the other hot food shop in the centre.
3. No system of odour reduction will completely eliminate the characteristic cooking smells in the vicinity and the fact that an odour control system is in place at 1 Purbrook Chase precinct, would be no reason to support a variation of the condition, as existing odours are discernible, in the immediate vicinity, Monday to Saturday each week.

Please do not hesitate to contact me if you wish to discuss any of the above matters raised or would like further explanation.



Mark Moss
Senior Environmental Health Officer